

1 AN ACT concerning taxes.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Property Tax Code is amended by changing
5 Sections 9-260, 21-15, and 21-30 as follows:

6 (35 ILCS 200/9-260)

7 Sec. 9-260. Assessment of omitted property; counties of
8 3,000,000 or more.

9 (a) After signing the affidavit, the county assessor
10 shall have power, when directed by the board of appeals
11 (until the first Monday in December 1998 and the board of
12 review beginning the first Monday in December 1998 and
13 thereafter), or on his or her own initiative, to assess
14 properties which may have been omitted from assessments for
15 the current year or during any year or years for which the
16 property was liable to be taxed, and for which the tax has
17 not been paid, but only on notice and an opportunity to be
18 heard in the manner and form required by law, and shall enter
19 the assessments upon the assessment books. No charge for tax
20 of previous years shall be made against any property if (a)
21 the property was last assessed as unimproved, (b) the owner
22 of such property gave notice of subsequent improvements and
23 requested a reassessment as required by Section 9-180, and
24 (c) reassessment of the property was not made within the 16
25 month period immediately following the receipt of that
26 notice.

27 (b) Any taxes based on the omitted assessment of a
28 property pursuant to Sections 9-260 through 9-270 shall be
29 prepared and mailed at the same time as the estimated first
30 installment property tax bill for the preceding year (as
31 described in Section 21-30) is prepared and mailed. The

1 omitted assessment tax bill is not due until the date on
 2 which the second installment property tax bill for the
 3 preceding year becomes due. The omitted assessment tax bill
 4 shall be deemed delinquent and shall bear interest beginning
 5 on the day after the due date of the second installment (as
 6 described in Section 21-25). Any taxes for omitted
 7 assessments deemed delinquent after the due date of the
 8 second installment tax bill shall bear interest at the rate
 9 of 1.5% per month or portion thereof until paid or forfeited
 10 (as described in Section 21-25).

11 (c) The assessor shall have no power to change the
 12 assessment or alter the assessment books in any other manner
 13 or for any other purpose so as to change or affect the taxes
 14 in that year, except as ordered by the board of appeals
 15 (until the first Monday in December 1998 and the board of
 16 review beginning the first Monday in December 1998 and
 17 thereafter). The county assessor shall make all changes and
 18 corrections ordered by the board of appeals (until the first
 19 Monday in December 1998 and the board of review beginning the
 20 first Monday in December 1998 and thereafter). The county
 21 assessor may for the purpose of revision by the board of
 22 appeals (until the first Monday in December 1998 and the
 23 board of review beginning the first Monday in December 1998
 24 and thereafter) certify the assessment books for any town or
 25 taxing district after or when such books are completed.

26 (Source: P.A. 88-455; 89-126, eff. 7-11-95; 89-671, eff.
 27 8-14-96.)

28 (35 ILCS 200/21-15)

29 Sec. 21-15. General tax due dates; default by mortgage
 30 lender. Except as otherwise provided in this Section or
 31 Section 21-40, all property upon which the first installment
 32 of taxes remains unpaid on June 1 annually shall be deemed
 33 delinquent and shall bear interest after June 1 at the rate

1 of 1 1/2% per month or portion thereof. Except as otherwise
2 provided in this Section or Section 21-40, all property upon
3 which the second installment of taxes remains due and unpaid
4 on September 1, annually, shall be deemed delinquent and
5 shall bear interest after September 1 at the same interest
6 rate. All interest collected shall be paid into the general
7 fund of the county. Payment received by mail and postmarked
8 on or before the required due date is not delinquent.

9 Property not subject to the interest charge in Section
10 9-260 or Section 9-265 shall also not be subject to the
11 interest charge imposed by this Section until such time as
12 the owner of the property receives actual notice of and is
13 billed for the principal amount of back taxes due and owing.

14 If a member of a reserve component of the armed forces of
15 the United States who has an ownership interest in property
16 taxed under this Act is called to active duty for deployment
17 outside the continental United States and is on active duty
18 on the due date of any installment of taxes due under this
19 Act, he or she shall not be deemed delinquent in the payment
20 of the installment and no interest shall accrue or be charged
21 as a penalty on the installment until 30 days after that
22 member returns from active duty.

23 Notwithstanding any other provision of law, when any
24 unpaid taxes become delinquent under this Section through the
25 fault of the mortgage lender, (i) the interest assessed under
26 this Section for delinquent taxes shall be charged against
27 the mortgage lender and not the mortgagor and (ii) the
28 mortgage lender shall pay the taxes, redeem the property and
29 take all necessary steps to remove any liens accruing against
30 the property because of the delinquency. In the event that
31 more than one entity meets the definition of mortgage lender
32 with respect to any mortgage, the interest shall be assessed
33 against the mortgage lender responsible for servicing the
34 mortgage. Unpaid taxes shall be deemed delinquent through

1 the fault of the mortgage lender only if: (a) the mortgage
2 lender has received all payments due the mortgage lender for
3 the property being taxed under the written terms of the
4 mortgage or promissory note secured by the mortgage, (b) the
5 mortgage lender holds funds in escrow to pay the taxes, and
6 (c) the funds are sufficient to pay the taxes after deducting
7 all amounts reasonably anticipated to become due for all
8 hazard insurance premiums and mortgage insurance premiums and
9 any other assessments to be paid from the escrow under the
10 terms of the mortgage. For purposes of this Section, an
11 amount is reasonably anticipated to become due if it is
12 payable within 12 months from the time of determining the
13 sufficiency of funds held in escrow. Unpaid taxes shall not
14 be deemed delinquent through the fault of the mortgage lender
15 if the mortgage lender was directed in writing by the
16 mortgagor not to pay the property taxes, or if the failure to
17 pay the taxes when due resulted from inadequate or inaccurate
18 parcel information provided by the mortgagor, a title or
19 abstract company, or by the agency or unit of government
20 assessing the tax.

21 (Source: P.A. 90-336, eff. 1-1-98; 90-575, eff. 3-20-98;
22 91-199, eff. 1-1-00; 91-898, eff. 7-6-00.)

23 (35 ILCS 200/21-30)

24 Sec. 21-30. Accelerated billing. Except as provided in
25 this Section, Section 9-260, and Section 21-40, in counties
26 with 3,000,000 or more inhabitants, by January 31 annually,
27 estimated tax bills setting out the first installment of
28 property taxes for the preceding year, payable in that year,
29 shall be prepared and mailed. The first installment of taxes
30 on the estimated tax bills shall be computed at 50% of the
31 total of each tax bill for the preceding year. If, prior to
32 the preparation of the estimated tax bills, a certificate of
33 error has been either approved by a court on or before

1 November 30 of the preceding year or certified pursuant to
2 Section 14-15 on or before November 30 of the preceding year,
3 then the first installment of taxes on the estimated tax
4 bills shall be computed at 50% of the total taxes for the
5 preceding year as corrected by the certificate of error. By
6 June 30 annually, actual tax bills shall be prepared and
7 mailed. These bills shall set out total taxes due and the
8 amount of estimated taxes billed in the first installment,
9 and shall state the balance of taxes due for that year as
10 represented by the sum derived from subtracting the amount of
11 the first installment from the total taxes due for that year.

12 The county board may provide by ordinance, in counties
13 with 3,000,000 or more inhabitants, for taxes to be paid in 4
14 installments. For the levy year for which the ordinance is
15 first effective and each subsequent year, estimated tax bills
16 setting out the first, second, and third installment of taxes
17 for the preceding year, payable in that year, shall be
18 prepared and mailed not later than the date specified by
19 ordinance. Each installment on estimated tax bills shall be
20 computed at 25% of the total of each tax bill for the
21 preceding year. By the date specified in the ordinance,
22 actual tax bills shall be prepared and mailed. These bills
23 shall set out total taxes due and the amount of estimated
24 taxes billed in the first, second, and third installments and
25 shall state the balance of taxes due for that year as
26 represented by the sum derived from subtracting the amount of
27 the estimated installments from the total taxes due for that
28 year.

29 The county board of any county with less than 3,000,000
30 inhabitants may, by ordinance or resolution, adopt an
31 accelerated method of tax billing. The county board may
32 subsequently rescind the ordinance or resolution and revert
33 to the method otherwise provided for in this Code.

34 Taxes levied on homestead property in which a member of

1 the National Guard or reserves of the armed forces of the
2 United States who was called to active duty on or after
3 August 1, 1990, and who has an ownership interest shall not
4 be deemed delinquent and no interest shall accrue or be
5 charged as a penalty on such taxes due and payable in 1991 or
6 1992 until one year after that member returns to civilian
7 status.

8 (Source: P.A. 92-475, eff. 8-23-01.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.